

**WSGL WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP**

*Intellectual Property Law*  
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Ten Post Office Square  
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Tel. 617.542.2290 • Fax. 617. 451.0313  
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**DEC 14 2006**

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DATE: December 14, 2006

TO: Examiner Lindsay M. Low  
TC Art Unit: 3721

Fax No.: (571) 273 8300

FROM: Charles L. Gagnebin III

No. of pages transmitted  
(including this page): **4**

Our File: FELD-137XX

Time: **2:10**

Your Ref:

Sent by: Mary Ellen

Application No. 10/567,526  
Filed Date: February 7, 2006  
Confirmation No.: 9274


A confirmation copy of this transmission will not be mailed unless the following is checked: ☐  
MESSAGE

PLEASE DELIVER DIRECTLY TO:  
EXAMINER LINDSAY M. LOW, Tel. (571) 272-1196  
TC ART UNIT NO: 3721

**FOR ENTRY**

Enclosed for filing please find a: RESPONSE TO ELECTION REQUIREMENT,  
TRANSMITTAL LETTER

The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional  
filing fees associated with this communication or credit any overpayment.

  
Attorney for Applicant: Charles L. Gagnebin III  
Registration No. 25,467

345650.1

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DEC 14 2006

Application No.: 10/567,526  
Filed: February 7, 2006  
TC Art Unit: 3721  
Confirmation No.: 9274

Rev 9/06

WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP  
Ten Post Office Square  
Boston, Massachusetts 02109  
Telephone: (617) 542-2290  
Telecopier: (617) 451-0313

Date: December 14, 2006

Via Facsimile

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Attorney

Docket No.: FELD-137XX

Sir:

In re application of: Gottlieb Benz

Entitled: METHOD AND DEVICE FOR PACKING TUBES

Transmitted herewith is an amendment in the above-identified application. The following checked items are applicable:

- ☐ This is a Request for Continued Examination under §1.114; authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$ ) per §1.17(e).
- ☐ Enter the unentered amendment previously filed on per §1.116.

☒ Small Entity Status is asserted.

- ☐ A Petition for Extension of Time for month is hereby made under §1.136(a); authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$ ) per §1.17.

☒ In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.

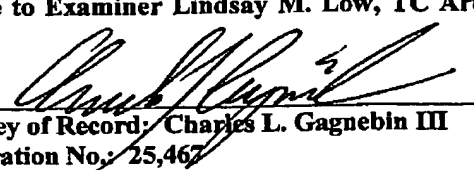
☐ Other:

CLAIMS AFTER AMENDMENT:	MINUS PRIOR PAID CLAIMS:	EQUALS PRESENT EXTRA CLAIMS:	RATE:	ADDITIONAL FEE:
Independent	2 - 3	= 0	x \$200.00 =	0
Total	11 - 20	= 0	x \$ 50.00 =	0
<input type="checkbox"/> Multiple Dependent Claims (1st presentation)			+ \$360.00 =	0
SUBTOTAL ADDITIONAL FEE				0
Small Entity filing, divide by 2. Small Entity status must be asserted.				0
TOTAL ADDITIONAL FEE				0

- ☒ No additional fee. ☐ The fee has been calculated above; authorization is provided herewith to charge Deposit Account No. 23-0804 (\$ ) for the cost of same.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Lindsay M. Low, TC Art Unit 3721, Fax No. (571) 273 8300, on 12-14-06.

  
Attorney of Record: Charles L. Gagnebin III  
Registration No. 25,467

CLG:mes/345648.1

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PATENT

DEC 14 2006

Rev 07/05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Gottlieb Benz  
Application No. : 10/567,526  
Filed : February 7, 2006  
Confirmation No. : 9274  
For : METHOD AND DEVICE FOR PACKING TUBES  
Examiner : Lindsay M. Low  
Attorney's Docket : FELD-137XX

TC Art Unit: 3721

\*\*\*\*\*  
I hereby certify that this correspondence is being sent via  
facsimile to Examiner Lindsay M. Low, TC Art Unit 3721, Fax No.  
(571) 273 8300, on 12-14-6.

By: 

Charles L. Gagnebin III  
Registration No. 25,467  
Attorney for Applicant(s)

\*\*\*\*\*

RESPONSE TO ELECTION REQUIREMENT

Via Facsimile  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated November 16, 2006,  
Applicant elects for present prosecution the claims of Group II,  
Claims 5-11, with traverse because examination of all of the  
claims is not seen as imposing an undue burden on the Examiner.

WEINGARTEN, SCHURGIN,  
GAGNEBIN & LEBOVICI LLP  
TSL: (617) 542-2790  
FAX: (617) 451-0313